

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: People v Derrick R Smith
Docket No. 260160
L.C. No. 04-001586-01

Michael J. Talbot, Judge, acting under MCR 7.211(E)(2), orders:

The motion to file a substitute appellant's brief on appeal is GRANTED. The appellant's brief that was filed on June 8, 2005, is STRICKEN and the substitute appellant's brief that was received with the motion on August 26, 2005, is accepted for filing to substitute for the stricken brief. The substitute appellant's brief shall be considered untimely. The appellee's brief that was filed on August 9, 2005, is also STRICKEN, the appellant's brief to which it responds having been stricken and a substitute appellant's brief having been accepted for filing. The time for filing appellee's brief in response to appellant's substitute brief on appeal under MCR 7.212(A)(2)(a)(ii) shall be counted from the date of the Clerk's certification of this order.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 16 2005

Date

Sandra Schultz Mengel
Chief Clerk